

11 January 2017		ITEM: 13 (Decision 01104402)
Cabinet		
East Tilbury Primary Care Intervention Plan		
Wards and communities affected: East Tilbury and neighbouring wards	Key Decision: Key	
Report of: Councillor James Halden, Portfolio Holder for Education and Health		
Accountable Head of Service: Ian Wake, Director of Public Health		
Accountable Director: Roger Harris, Corporate Director of Adults, Housing and Health.		
This report is Public		

Executive Summary

Members will be aware that a serious situation arose in October last year which could have resulted in the closure of the East Tilbury Medical Centre in Coronation Avenue, East Tilbury. This would have had a massive impact on under doctored areas such as East Tilbury, Corringham and Stanford-le-Hope. Following pressure from the Council, the Clinical Commissioning Group (CCG), Healthwatch and the Patients Participation Group at the surgery, NHS England (NHSE) withdrew its decision to disperse the list to allow for further time to consider the future of the practice and in particular ownership of the building.

The Council has played a leading role in trying to resolve the situation and after discussions with the receiver and NHSE over the future for the practice it is proposed that the Council enters into discussions with the receiver with a view to buy the property to secure essential primary care services in this part of Thurrock.

- 1. Recommendation that Cabinet approves :**
 - 1.1 The purchase of the freehold interest of the East Tilbury Medical Centre at 85, Coronation Avenue, East Tilbury on the terms and conditions as outline in the confidential report and with the final terms and conditions being delegated for agreement by the Corporate Director of Environment and Place and the Section 151 officer in consultation with the relevant Portfolio Holder.**
 - 1.2 That the Director of Law and Governance be authorised to complete any legal documentation to give effect thereto.**

1.3 That the property be leased to an appropriate primary care provider on terms to be agreed.

2. Introduction and Background

- 2.1 18 months ago the then GP at the practice, Dr Gorai, had his medical contract terminated because he was not registered with the Care Quality Commission and so was not allowed to practice. College Health were awarded the primary care contract by NHS England to act as a caretaker practice until the long term future of the practice could be resolved. However, the previous GP owned the building and so remained the landlord. It should be noted at this point that it is NHS England who commission primary care and determines primary care contracts not the Thurrock Clinical Commissioning Group (CCG). Also it is important to note that neither the CCG nor NHSE are permitted to own premises of this nature.
- 2.2 In June of 2016 the landlord was declared bankrupt, triggering the current crisis, and the building has been in the hands of the receiver since that time. NHS England took some time to decide on next steps and in September they decided to “disperse the list”. That means ending the primary care contract and the patients are required to find another practice to register with. East Tilbury practice operates out of two sites – Coronation Avenue (approx. 2,500 patients) and Corringham (approx. 1,500 patients).
- 2.3 The letters went out very late in October and patients were given less than three weeks to find a new GP. This caused a great deal of disquiet and meetings were held at the practice on 12th October when over 300 patients turned up to express their frustration at what had happened. Also Thurrock Healthwatch had been flooded with complaints.
- 2.4 College Health has been a good practice and patients wanted to remain with them but because the building was in the hands of the receiver they had potentially no-where to operate from. The alternative practices that NHS England were suggesting were considered un-satisfactory by patients– a. three practices in Corringham / Stanford that were not ideal for patients from East Tilbury; b. A branch practice from Tilbury Town; c. a practice actually in East Tilbury itself but where a lot of patients had left and until recently was full up and didn't have capacity.
- 2.5 Following a public meeting attended by the Portfolio Holder and the Corporate Director, NHS England accepted (after pressure from the Council, patient groups and the local MP) that it was wrong to disperse the list and agreed to pause the dispersal. They issued an extension to the contract held by College Health for a further 9 months.
- 2.6 As regards the long term future for primary care, NHS England at their Commissioning Board on 28th November agreed an extension to the primary care contract that makes the purchase of the building a viable proposition.

Rental terms will need to be confirmed with the primary care provider but on the basis of the current arrangements these again make it a viable proposition for the Council.

- 2.7 The Council has been in constant contact with the receiver throughout this process and they have listed the premises for auction in February next year. They have indicated that they are prepared to withdraw the building from auction if an agreed price can be reached with the Council.
- 2.8 A full building condition survey has been undertaken. The report notes that this is a purpose built property built in 1983 and has always been used as a Dr's surgery. It comprises a hallway, three surgery rooms, waiting area, filling area, reception, store, office area and disabled toilet – all on the ground floor. On the first floor is a further office, kitchen and two toilets. The total site coverage is 2,363 sq ft.
- 2.9 In the opinion of the surveyor that with usual planned maintenance the property should have an economic life of at least 25 years. The property is as shown edged on the attached plan at Appendix 1.

3. Issues, Options and Analysis of Options

- 3.1 The issues identified for the Council are as follows:
- There is a dire shortage of GPs in the Borough and this is particularly acute in East Tilbury and Tilbury Town – see Director of Public Health's Annual Health Report 2016.
 - We are working with the CCG and NHS England to develop a joined up approach to solving this problem with the long term intention of developing four Integrated Healthy Living Centres across the Borough.
 - Improving primary care has been identified as one of the top priorities for the new administration.
 - We are also looking to rationalise our estate and make better use of existing buildings, rather than take on new ones, through multi-use. However, East Tilbury is one area where the Council owns very few properties.
 - The Medical Centre in East Tilbury was purpose built in a good location and had full disability access.
 - East Tilbury has a very significant series of housing developments underway (or about to be built) on the Bata estate.
 - NHS England must agree to continue to commission primary care services from that building.
 - A full financial assessment has been undertaken.
- 3.2 The locality area of Tilbury and East Tilbury experiences a number of inequalities relating to healthcare provision and management. Data published

in the Annual Public Health Report 2016 indicates that patients in this area are likely to have reduced access to primary care compared with other parts of the borough. The mean number of patients per full time equivalent GP in England is 1,321; in the Tilbury locality, this is 2,497 – nearly double the national average. This reduced workforce capacity has other impacts - perceived availability of GP appointments was found to be a significant positive predictor of emergency hospital admissions for Coronary Heart Disease (CHD) and Heart Failure (HF), and for Respiratory conditions in modelling work undertaken by the Public Health team.

- 3.3 The quality of long term condition care in the locality of Tilbury and East Tilbury is varied, with a large number of patients estimated to not receive appropriate care processes for conditions such as Coronary Heart Disease and Diabetes. Of the 12 GP practices identified in the 2016 Annual Public Health Report as priorities for further review of their cross-condition management of long term conditions, five were located in the Tilbury locality area.
- 3.4 There is also estimated to be large numbers of patients with long term health conditions who have not yet been diagnosed. For example, modelled estimates produced by Public Health England estimate that the East Tilbury Medical Centre had diagnosed 45.43% of the estimated number of patients with Depression – which equates to a 283 additional patients for that practice alone who are potentially experiencing Depression but not receiving any treatment. Whilst this practice does not have the lowest ratio of diagnosed: undiagnosed patients in Thurrock, similar ratios in some of the surrounding practices mean that a number of patients in this area are at risk of later diagnoses of chronic conditions and therefore potentially poorer health outcomes.

4. Reasons for Recommendation

- 4.1 As the APHR states, there is a dire shortage of GPs in Thurrock and in East Tilbury and Tilbury in particular. The loss of this service would only exacerbate that problem. The proposal as outlined has a sound business case in that the return on the property is sufficient to justify the capital outlay but it also secure a valuable primary care presence in the area for at least 10 years.

5. Consultation (including Overview and Scrutiny, if applicable)

This matter has been discussed with Thurrock Healthwatch, ward Councillors, the Thurrock Clinical Commissioning Group and the Patient Participation Group. All support the Council's proposed action in this matter.

6. Impact on corporate policies, priorities, performance and community impact

6.1 Tackling the shortage of GPs in Thurrock has been highlighted as a key priority for the new administration.

7. **Implications**

7.1 **Financial**

Implications verified by: **Sean Clark**
Director of Finance and IT

Cabinet has the authority to approve the purchase of this property where income meets or exceeds the annual cost of capital repayment. The exempt appendix shows the likely range of the purchase cost and the possible rental income, term and responsibility for maintenance, business rates, etc. I can confirm that, based on these figures and lease terms, the purchase of this property is financially viable.

7.2 **Legal**

Implications verified by: **David Lawson**
Deputy Head of Law & Governance

This Cabinet report recommends the acquisition of the freehold for the East Tilbury Medical Centre at 85, Coronation Avenue, East Tilbury in order to avoid the closure of the premises as a primary care centre given the known shortage of GP practices in the area and that such shortage cannot be adequately addressed by a list dispersal exercise to other medical practices.

Neither the Clinical Commissioning Group nor NHS England are permitted to own such premises, which is currently held by the landlord' receiver in bankruptcy. The receiver has indicated that they are prepared to withdraw the building from auction if an agreed price can be reached with the Council and NHS England have agreed an extension to the primary care contract that makes the purchase of the building a viable proposition for the Authority to purchase and lease to an appropriate primary practice provider on terms to be agreed.

The acquisition of land and property are executive functions unless contrary to the Budget Policy framework. Therefore under the general power of competence pursuant to section 1 of the Localism Act or pursuant to powers under Local Government Act 1972 the Council could decide to purchase to premises preferably, given the timeline, through an appropriate delegation to the relevant director in consultation with portfolio holder to continue negotiations subject to contract and to purchase on being satisfied as to an appropriate survey and valuation, financial and feasibility appraisal by Chief Finance Officer and requisite advice from legal services and further to lease the premises to a primary care provider on terms to be agreed.

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
**Community Development and Equalities
Manager**

As clearly identified in the Annual Public Health Report (2016) Thurrock and East Tilbury suffers from a lack of GPs. This has contributed to poor health outcomes and high levels of hospital admissions. Addressing these shortfalls and improving the quality of Primary care is a key Council priority and any loss of Primary Care capacity will only make matters worse.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

N/A

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- N/A

9. Appendices

- **Appendix 1 - East Tilbury Primary Care Intervention Plan – Site Plan**
- **Appendix 2 – EXEMPT - Terms for any purchase of the freehold**

Report Author:

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